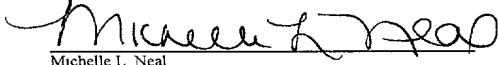


PATENT APPLICATION

*IN THE UNITED STATES PATENT AND TRADEMARK OFFICE*

<i>Group</i>		}	<u>Certificate Under 37 C.F.R. 1.10</u>
<i>Art Unit:</i>	Unknown	}	"EXPRESS MAIL" MAILING LABEL NUMBER
		}	<u>EL731384905US</u>
<i>Attorney</i>		}	DATE OF DEPOSIT <u>APRIL 18, 2001</u>
<i>Docket No.:</i>	TKA0028	}	I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
		}	DEPOSITED WITH THE UNITED STATES POSTAL SER-
<i>Applicant:</i>	Yasushi Kohno et al.	}	VIC "EXPRESS MAIL POST OFFICE TO ADDRESSEE"
		}	SERVICE UNDER 37 C.F.R. 1.10 ON THE DATE
<i>Invention:</i>	METHOD OF PREVENTING DEFECTIVE GERMINATION OR GROWTH OF PLANT	}	INDICATED ABOVE AND IS ADDRESSED TO THE ASSIS-
		}	TANT COMMISSIONER FOR PATENTS WASHINGTON, DC
		}	20231
		}	on <u>APRIL 18, 2001</u>
<i>Serial No:</i>	Unknown	}	
		}	Michelle L. Neal
<i>Filed:</i>	Herewith	}	
<i>Examiner:</i>	Unknown	}	

PRELIMINARY AMENDMENT

Box Patent Application  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Prior to the examination of the above-identified application, please amend the application as follows:

IN THE TITLE

The title listed on the Declaration and Assignment documents is incorrect and Applicants want to be sure the filing receipt is correct. The title is as follows:

"METHOD OF PREVENTING DEFECTIVE GERMINATION OR GROWTH OF PLANT"

## IN THE CLAIMS

Please amend claim 7 as follows:

7. (Amended) The method of preventing defective germination or growth of a plant as claimed in [any one of claims 1 to 6,] claim 1, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.

Please add new claims 8-12 as follows:

- 8. The method of preventing defective germination or growth of a plant as claimed in claim 2, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.- -

- 9. The method of preventing defective germination or growth of a plant as claimed in claim 3, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.- -

- 10. The method of preventing defective germination or growth of a plant as claimed in claim 4, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.- -

- 11. The method of preventing defective germination or growth of a plant as claimed in claim 5, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.- -

- 12. The method of preventing defective germination or growth of a plant as claimed in claim 6, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.- -

• • • R E M A R K S • • •

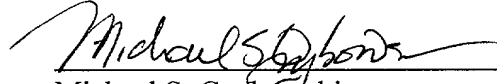
By the present Preliminary Amendment, the title has been revised due to a typographical error on the Declaration and Assignment documents. The claims have been revised to delete the multiple dependency.

Care has been taken so as to avoid the addition of new matter in the claims.

Entry of the present Preliminary Amendment prior to the examination of the application is respectfully requested.

In the event applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, applicant hereby petitions therefor and authorizes that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.

Respectfully submitted,



Michael S. Gzybowski  
Reg. No. 32,816

BAKER & DANIELS  
111 East Wayne Street  
Suite 800  
Fort Wayne, Indiana 46802  
(219) 460-1661

MSG/mln/176865

## ATTACHMENT A

Clean Copy of Claims as of April 18, 2001

1. A method of preventing defective germination or growth of a plant comprising the steps of:

encapsulating one plant seed or a plurality of plant seeds in an aqueous gel capsule;

refrigerating the plant seeds under the condition that the plant seeds do not germinate;

and

sowing the plant seeds.

2. The method of preventing defective germination or growth of a plant according to claim 1, wherein the size of the plant seed is equal to or less than 1 mm.

3. The method of preventing defective germination or growth of a plant according to claim 1, wherein the refrigeration is carried out in a dark place.

4. The method of preventing defective germination or growth of a plant according to claim 2, wherein the refrigeration is carried out in a dark place.

5. The method of preventing defective germination or growth of a plant according to claim 3, wherein the plant seed is a seed of alight germinator.

6. The method of preventing defective germination or growth of a plant according to claim 4, wherein the plant seed is a seed of a light germinator.

7. The method of preventing defective germination or growth of a plant as claimed in claim 1, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.

8. The method of preventing defective germination or growth of a plant as claimed in claim 2, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.

9. The method of preventing defective germination or growth of a plant as claimed in claim 3, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.

10. The method of preventing defective germination or growth of a plant as claimed in claim 4, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.

11. The method of preventing defective germination or growth of a plant as claimed in claim 5, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.

12. The method of preventing defective germination or growth of a plant as claimed in claim 6, wherein the plant seed encapsulated in an aqueous gel capsule is a pelletized seed.